

REGULAR MEETING

March 13, 1995

The Regular Meeting of the Annapolis City Council was held on March 13, 1995 in the Council Chamber. Mayor Hopkins called the meeting to order at 7:00 p.m. Mayor Hopkins offered the invocation followed by the Pledge of Allegiance.

Present on Roll Call: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff

Alderman Moyer arrived at 7:15 p.m.

Staff Present: City Attorney Goetzke, Finance Director Tyler, Planning and Zoning Director Fogarty, Public Transportation Director Chase, Public Works Director Patmore

Mayor Hopkins and Human Relations Commission Chair Neil Burke presented an award to Shannon Fuller on behalf of the Human Relations Commission.

Mayor Hopkins presented an award to Jan Hardesty for the Annapolis Greenscape Project.

Alderman DeGraff moved to approve the Minutes of February 13, 1995 (Closed) and February 27, 1995. Seconded. CARRIED on voice vote.

SPECIAL ORDER OF BUSINESS

Downtown Annapolis Parking and Transportation Advisory Committee (DAPTAC) Report

The following members of the Downtown Annapolis Parking and Transportation Advisory Committee spoke briefly:

Chair, Jack Lengyel
Consultant, Fred Fravel
Member Michael Langrehr
Member Tom Negri
Member Katherine Dahl

PETITIONS, REPORTS AND COMMUNICATIONS

1. Michael Van Buren
920 Burwick Drive
Annapolis, Md. 21403

Spoke in opposition to Ordinance O-10-95 (Quitclaim Deed - Ambridge Community).

2. Robert Rice
86 East Street
Annapolis, MD 21401

Spoke regarding the DAPTAC Report.

3. Ronald George
Regent Street
Annapolis, MD 21401

Spoke regarding the DAPTAC Report.

The regular order of the Agenda was amended to allow the following legislative action.

LEGISLATIVE ACTION

1. O-96-94 Sponsored by Mayor Hopkins

For the purpose of revising the fine for parking meter violations if paid within a certain time; and all matters relating to said fines.

The Finance Committee reported favorably on O-96-94.

Alderman Snowden moved to adopt O-96-94 on second reading. Seconded.

Alderman Tullier moved to amend O-96-94 as follows:

On Page 2, line 10 strike "DOLLARS IF PAID WITHIN" and on line 11 strike "TWO HOURS OR twenty"; and on Page 2, line 25 strike "DOLLARS IF PAID WITHIN" and on line 26 strike "TWO HOURS OR twenty".

Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff

ABSTAIN: Alderman Moyer

CARRIED: 8 - 0 - 1

Alderman Snowden moved to adopt O-96-94 Amended on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-96-94 Amended on third reading. Seconded. CARRIED on voice vote.

2. R-15-95 Sponsored by Mayor Hopkins

For the purpose of revising the hourly rate for all City parking meters; and all matters relating to said parking meters.

Alderman Snowden moved to adopt R-15-95. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden

NAYS: Aldermen Turner, DeGraff, Moyer

CARRIED: 6 - 3

3. R-16-95 Sponsored by Mayor Hopkins

For the purpose of establishing the rates and fees for parking in certain parking facilities owned by the City; and all matters relating to said rates.

Alderman Snowden moved to adopt R-16-95. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Tullier, Snowden, Turner, DeGraff, Moyer

NAYS: Alderman Gilmer

CARRIED: 8 - 1

Alderman Johnson moved to accept the Downtown Annapolis Parking and Transportation Advisory Committee report dated March 13, 1995, as amended by the Council, into the record. Seconded. CARRIED on voice vote.

The regular order of the Agenda was resumed.

PUBLIC HEARING
Continued from February 27, 1995

Application of Metro Graphics, Inc. to install the following signs at Safeway, Inc., 1781 Forest Drive, Annapolis:

- a. 2 Pylon Signs, double faced, 5'6" x 8'7" each side for a total of 47.3 square feet per side per sign;
- b. 1 Pole Sign, double faced, 8' x 12'6" each side for a total of 100 square feet per side; and

Planning and Zoning Director Fogarty presented a staff report.

Charles F. Delavan, Blumenthal & Delavan, 170 Jennifer Road, Suite 240, attorney for the applicant, was present and answered questions addressed by the Aldermen.

Mayor Hopkins accepted into the record the following exhibits submitted by Mr. Delevan:

- Exhibit No. 1: Six photographs labeled "Safeway Store #1460";
- Exhibit No. 2: Eight photographs labeled "Typical West Street Streetscapes";
- Exhibit No. 3: Pastel drawing of proposed sign.

No one from the general public spoke in favor of or in opposition to the application.

Mayor Hopkins declared the public hearing closed.

The regular order of the Agenda was amended to allow action on an application.

ACTION ON APPLICATIONS AND APPEALS

Application of Metro Graphics, Inc. to install the following signs at Safeway, Inc., 1781 Forest Drive, Annapolis:

- a. 2 Pylon Signs, double faced, 5'6" x 8'7" each side for a total of 47.3 square feet per side per sign;
- b. 1 Pole Sign, double faced, 8' x 12'6" each side for a total of 100 square feet per side.

Alderman DeGraff moved to approve the recommendations of the Planning and Zoning Department as set forth in their Memorandum of March 13, 1995 with the following amendments:

- a. The secondary street signs shall be limited to 15' and only the lettering shall be illuminated.
- b. The large freestanding sign shall be limited to 28' and only the lettering shall be illuminated.

Seconded. CARRIED on voice vote.

The regular order of the Agenda was resumed.

LEGISLATIVE ACTION

1. **O-97-94** Sponsored by Mayor Hopkins

For the purpose of correcting certain codification enumeration inaccuracies in the City Code provision regarding restaurants in the conservation districts; and all matters relating to said corrections.

There being no voiced objection Ordinance O-97-94 was postponed.

2. **O-99-94** Sponsored by Alderman Hammond

For the purpose of amending provisions regarding collection of residential refuse in multifamily and mixed use buildings; and all matters relating to said provisions.

The Rules Committee reported favorably with amendments on O-99-94.

Alderman Snowden moved to adopt O-99-94 on second reading. Seconded. CARRIED on voice vote.

Alderman Johnson moved to amend O-99-94 as follows:

On Page 2, line 24, add the following:

D. BUILDINGS WITH RESIDENTIAL USES WHICH ELECT TO FURNISH THEIR OWN GARBAGE AND REFUSE COLLECTION SERVICE AS DESCRIBED IN THIS SECTION SHALL ALSO PROVIDE FOR THEIR OWN RESIDENTIAL RECYCLING COLLECTION SERVICE AS DEFINED IN SECTION 10.18.050, AND SHALL PROVIDE THE DEPARTMENT OF PUBLIC WORKS WITH SATISFACTORY EVIDENCE OF SUCH RECYCLING SERVICE.

Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-99-94 Amended on second reading. Seconded. CARRIED on voice vote.

Alderman Snowden moved to adopt O-99-94 Amended on third reading. Seconded. CARRIED on voice vote.

3. **O-8-95** Sponsored by Mayor Hopkins

For the purpose of increasing the fine for vehicles parking or standing for longer than forty-eight hours in certain prohibited areas; and all matters relating to said fine.

The Finance Committee reported favorably on O-8-95.

The Public Safety Committee reported favorably with amendments on O-8-95.

Following discussion, O-8-95 was returned to the Public Safety Committee for further review.

4. **CA-1-95** Sponsored by Alderman Snowden

For the purpose of amending the Charter of the City of Annapolis by adding Article X to the Charter, for the purpose of creating a body politic and corporate and an instrumentality of the City of Annapolis to be known as "The Annapolis Revenue Authority" for the purpose of

constructing, reconstructing, renovating, remodeling, improving, equipping, furnishing, maintaining, acquiring, operating, and financing projects on behalf of the City of Annapolis ...

Alderman Snowden moved to adopt CA-1-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee, Finance Committee and Rules Committee.

5. **O-5-95** Sponsored by Mayor Hopkins

For the purpose of authorizing a lease agreement for the placement of a piling in the developable waterway area of Lafayette Park; and all matters relating to said agreement.

Alderman Snowden moved to adopt O-5-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee.

6. **O-12-95** Sponsored by Mayor Hopkins

For the purpose of authorizing the City Council to lease certain municipal property located in the general harbor and Dock Street area to United States Yacht Shows, Inc. and Annapolis Boat Shows, Inc., bodies corporate, for a certain period of time in October 1999, subject to certain terms, provisions, and conditions, for the purpose of conducting boat shows; and all matters relating to said lease.

Alderman Snowden moved to adopt O-12-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Economic Matters Committee and Finance Committee.

7. **O-14-95** Sponsored by Mayor Hopkins

For the purpose of authorizing the 1995 Spring Boat Show and Waterfront Festival Agreement which Agreement includes a provisions to lease certain municipal parking areas on Compromise Street between the Fleet Reserve Club and Fawcetts Boat Supply and the Donnor lot to International Boat Shows, Inc., body corporate, for a certain period of time, subject to certain terms, provisions, and conditions, for the purpose of conducting said Spring Boat Show and Waterfront Festival; and all matters relating to said lease.

Alderman Turner moved to adopt O-14-95 on first reading. Seconded. CARRIED on voice vote.

Alderman Turner moved to suspend the rules to dispense with the second reading on O-14-95. Seconded. CARRIED on voice vote.

Alderman Turner moved to adopt O-14-95 on third reading. Seconded. A ROLL CALL vote was taken:

YEAS: Mayor Hopkins, Aldermen Hammond, Johnson, Gilmer, Tullier, Snowden, Turner, DeGraff, Moyer

CARRIED: 9 - 0

8. **O-15-95** Sponsored by Mayor Hopkins

For the purpose of conveying, by quitclaim deed, whatever rights, title and interest the City has in a certain storm drain easement running along the eastern boundary of the Annapolis Housing Authority property and a portion of the drainage rights that the City holds at the western edge of the Annapolis Overlook property in the City of Annapolis; and all matters relating to said quitclaim deed.

Alderman DeGraff moved to adopt O-15-95 on first reading. Seconded. CARRIED on voice vote.

Mayor Hopkins announced that O-15-95 would be placed on the March 27, 1995 Agenda for final action.

9. **O-16-95** Sponsored by Alderman Johnson

For the purpose of deleting the requirement that exterior signs over fifty square feet or more shall be heard by the City Council at a public hearing; and all matters relating to said signs.

Alderman Snowden moved to adopt O-16-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Rules Committee.

10. **O-17-95** Sponsored by Aldermen Tullier and Turner

For the purpose of requiring that a fiscal impact note shall be provided for all ordinances or resolutions amending the Charter of the City; establishing that ordinances or resolutions amending the Charter of the City shall lie on the table for no longer than one hundred twenty days; clarifying certain language; and all matters relating to said legislation.

Alderman Tullier moved to adopt O-17-95 on first reading. Seconded. CARRIED on voice vote.

Referred to the Finance Committee and Rules Committee.

BUSINESS AND MISCELLANEOUS

1. **R-9-95** Sponsored by Mayor Hopkins

For the purpose of granting unto St. John's College a waiver, in perpetuity, from the requirements of City law relating to disturbances of the peace and public nuisances for the exclusive purpose of ringing the College Bell in celebration of the submission of senior essays; and all matters relating to said waiver.

Alderman Snowden moved to adopt R-9-95. Seconded.

Mary Stewart-Taylor, 243 Prince George Street, Annapolis, spoke in opposition to Resolution R-9-95.

Mayor Hopkins moved to postpone action on Resolution R-9-95 to the April 10, 1995 meeting. Seconded. CARRIED on voice vote.

Referred to the Public Safety Committee.

2. **R-10-95** Sponsored by Alderman DeGraff

For the purpose of rejecting the January 27, 1995 recommendations of the Mayor and Aldermen Compensation Review Commission; and all matters relating to said Commission.

Alderman Snowden moved to adopt R-10-95. Seconded.

Alderman Snowden moved to amend R-10-95 as follows:

On Page 2, line 16 immediately following the period add the following:

The report shall be submitted to the City Council within 90 days.

Seconded. CARRIED on voice vote.

Alderman Gilmer moved to amend R-10-95 as follows:

On Page 2, line 14 immediately following "in toto" strike beginning with "and" through and including "4(b)(1)" on line 16.

Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Johnson, Gilmer, Moyer
NAYS: Aldermen Hammond, Tullier, Snowden, Turner, DeGraff
ABSTAIN: Mayor Hopkins
DEFEATED: 5 - 3 - 1

Aldermen Snowden moved to adopt R-10-95 Amended. Seconded. A ROLL CALL vote was taken:

YEAS: Aldermen Hammond, Johnson, Tullier, Snowden, Turner, DeGraff
NAYS: Alderman Moyer
ABSTAIN: Mayor Hopkins, Alderman Gilmer
CARRIED: 6 - 1 - 2

3. **R-11-95** Sponsored by Alderman Gilmer

For the purpose of formally endorsing the condominium conversion and rehabilitation of 21 apartment units located at Carver and Oaklawn Streets in the City of Annapolis in order to satisfy a State of Maryland requirement which is a prerequisite to the approval of financing for the project; and all matters relating to said endorsement.

Alderman Gilmer moved to adopt R-11-95. Seconded. CARRIED on voice vote.

4. **R-12-95** Sponsored by Mayor Hopkins and Alderman DeGraff

For the purpose of extending the date by which the special committee to study the merits of a transition from a mayoral to city-manager system of government in the City of Annapolis shall submit its report to the City Council pursuant to Resolution R-55-94 Revised/Amended; and all matters relating to said special committee.

Alderman Snowden moved to adopt R-12-95. Seconded. CARRIED on voice vote.

- For the purpose of stating the Annapolis City Council's opposition to Senate Bill 345; and all matters relating to said bill.

YEAS: Mayor Hopkins, Aldermen Johnson, Gilmer, Tullier, Snowden, Turner,
DeGraff, Moyer
ABSTAIN: Alderman Hammond
CARRIED: 8 - 0 - 1

- Alderman Turner moved to approve the Housing and Community Development Minutes of February 22, 1995. Seconded. CARRIED on voice vote.

- YEAS: Mayor Hopkins, Aldermen Johnson, Gilmer, Tullier, Snowden,
DeGraff, Moyer
NAYS: Alderman Hammond, Turner
CARRIED: 7 - 2

- Alderman Snowden moved to pay the monthly bills. Seconded. CARRIED on voice vote.

- Alderman DeGraff moved to confirm the Mayor's appointments of the following named persons as set forth in Memoranda from Mayor Alfred A. Hopkins dated March 2, 1995, March 3, 1995, March 7, 1995 and March 13, 1995:

Recreation Advisory Board: Josh J. Cohen

Conference Center Committee:

Bertina Nick
Ronald G. Callison
David A. Simison
Margie Shank
Tess Glaser
Carmine Blades
John L. Prehn
Michael J. Langrehr
Suzanne Weissinger

Seconded. CARRIED on voice vote.

Upon motion duly made, seconded and adopted, the meeting was adjourned at 10:40 p.m.

**Patricia L. Bembe, CMC/AAE
City Clerk**